

EXPLANATION AND INSTRUCTION SHEET STATEMENT OF CHARGES TO RESERVE ACCOUNT (DE 428T)

FORM DE 428T IS NOT A BILL AND A BILL WILL NOT BE SENT AT A LATER DATE

PLEASE READ BEFORE CALLING (Most of your questions will be answered in this form.)

PURPOSE OF FORM	The enclosed form, DE 428T, is an itemized list of charges to your reserve account. The form covers a one-year period that begins July 1 and ends June 30. Any benefits paid to the claimants after June 30 will appear on the Statement of Charges next year. Charges are based on unemployment insurance benefits paid to claimants for whom you were a base period employer. These charges are one of the factors used to determine your unemployment insurance contribution rate for the coming year. Due to the heavy volume, the Statement of Charges may be mailed prior to the statement date shown.
FILING A PROTEST	<p>No further action is needed if you agree with the charges. If you disagree with the charges you may file a protest. Your protest must be in writing and postmarked within 60 days from the mail date on the Statement of Charges. You may request a 60-day extension to file a protest. The extension request must be in writing and must show "good cause" for requesting additional time. To expedite the processing of your protest, please use the suggested format on the last page of these instructions.</p> <p>MAIL YOUR PROTEST OR REQUEST FOR AN EXTENSION TO:</p> <p>Employment Development Department Contribution Rate Group MIC 4 PO Box 826880 Sacramento CA 94280-0001</p>
PROTEST RIGHTS	<p>You should protest charges to your reserve account if:</p> <ul style="list-style-type: none"> You disagree with any of the charges. You responded to a claim notice more than three months ago, and have not received a response from the Department. <p>Your protest will be denied if you failed to respond timely to the original claim notice, Notice of Claim Filed, DE 1101CZ, or Notice of Wages Used for Unemployment Insurance Claim, DE 1545, or if the basis of your objection is the claimant should not have been allowed to draw benefits.</p> <p>If benefit charges appear on your statement that involve a pending appeal, you do not need to file a protest. If you receive a favorable decision, the charges will be removed from your reserve account.</p>
ANSWERS TO YOUR QUESTIONS	<p>Q. How long is a claimant eligible for benefits?</p> <p>A. Once a claimant is determined eligible for benefits, they have one year from the date of the claim in which to draw their maximum benefit award.</p> <p>Q. How can I be charged this much when the person worked only a short period of time?</p> <p>A. Your share of the charges is based on wages you reported compared to the total wages reported by all base period employers. The charges are prorated among all base period employers. The total amount of benefits charged to an employer's reserve account, as a result of any one claim, could equal 26 times the weekly benefit award or one half of the base period wages you paid, plus \$1, whichever is less.</p> <p>Q. Why is my account being charged for people who left my business so long ago?</p> <p>A. Benefits paid are based on a prior period of employment. An unemployment insurance claim is based on wages reported by an employer within a period, which could range from 3 to 19 months prior to the claim date.</p> <p>Q. Why is my account being charged when the claimant was a temporary or part-time employee?</p> <p>A. An employer's reserve account is charged based on wages which were reported as required by the California Unemployment Insurance Code (CUIC). There is no distinction made in the CUIC between wages paid to full-time, part-time, or temporary employees.</p>

ANSWERS TO YOUR QUESTIONS (cont.)	<p>Q. What is a base period and how is the base period for a UI claim determined?</p> <p>A. The base period of a claim is the one year period of the claimant's prior earnings that is used to determine the weekly benefit amount, maximum benefit amount, and chargeable employers. It is determined by the claim date and may include wages paid 3 to 19 months prior to the claim date.</p>
WHAT TO EXPECT	<p>Due to the volume of protests received, it may be up to nine months before you receive an answer to your letter. If the protest is allowed, the charges will be removed and you will receive an amended Notice of Contribution Rates and Statement of Reserved Account, DE 2088. If the protest is denied, you will receive information on your appeal rights.</p>
ENTRIES ON FORMS	<p>a. PREDECESSOR ACCOUNT NUMBER: If a number appears under PREDECESSOR ACCOUNT NUMBER, it is the account number of a former owner of a business acquired by you. The claimants listed are former employees of that business. Benefits paid to the claimants were based on wages paid by the former owner. Because the reserve account balance of that business was transferred to your reserve account, the benefit charges are now deducted from your reserve account. This information applies to you with the same effect as though you were the original employer. (NOTE: Charges for each predecessor account will be listed on separate pages of the DE 428T under your account number.)</p> <p>b. CLAIMANT'S NAME/SOCIAL SECURITY ACCOUNT NUMBER: The name shown may be different or a shorter version of the name used when the claimant worked for you. For UI purposes, all claimants are identified by their Social Security Account Number. The Social Security Account Number on the Statement of Charges should be the same as that reported by you on your Quarterly Wage and Withholding Reports (DE 6).</p> <p>c. CLAIM DATE: The date shown is the date that a claim for UI benefits was established.</p> <p>d. CLAIM TYPE: All charges shown are for benefits paid on a UI claim. The codes in this column are for Department purposes only.</p> <p>e. EMPLOYER CHARGE: The amount charged against your reserve account represents your prorated share of benefits paid through last June 30. This amount has been deducted from your reserve account. If the amount indicated is followed by a MINUS (-) sign, it means that a previous charge has been removed and this entry reflects a credit to your reserve account.</p> <p>f. CHG CODE: All charges shown are for benefits paid on a UI claim. These codes designate type of UI claim. Blank — a regular UI claim. (1) — Your reserve account was charged because: Benefits were paid prior to the separation date shown on your favorable ruling. OR You reported wages for the claimant after the separation date on your favorable ruling. A favorable ruling will relieve charges only when the <u>benefits</u> are paid <u>after</u> the claimant separated from your employment and the benefits were based on <u>wages</u> paid <u>prior</u> to the claimant's separation from your employment. (3)(6) — UI benefits paid during a Federal extension period. (4)(5) — UI benefits paid during a California extension period. (7)(G) — UI benefits paid to a claimant who filed and was found eligible for a training extension claim per Section 1269 of the California Unemployment Insurance Code.</p> <p>g. PGM CODE: A code for Department purposes only.</p>
WHERE TO CALL	<p>For information or assistance please call (916) 653-7795. EDD is an equal opportunity employer. Accessible formats available.</p>

SUGGESTED FORMAT FOR FILING A WRITTEN PROTESTEMPLOYER ACCT. NO.:

				-					-	
--	--	--	--	---	--	--	--	--	---	--

TODAY'S DATE: _____

Business Name_____
DBA_____
Business Mailing Address (Number, Street, Box Number)☐ Check here if new
address_____
Business Mailing Address (City, State, ZIP)_____
Contact Person(_____) _____
Phone NumberThis is a protest to the Statement of Charges to Reserve Account, DE 428T, dated _____, 20_____,
for the fiscal year ended June 30, 20_____, for the following claimant(s):

	SSA NUMBER	CLAIMANT NAME	CLAIM DATE	EMPLOYER CHARGE AMOUNT
1				
2				
3				
4				
5				

(If more space is needed, please attach a separate page.)

Please state the reason for each protested claim listed above:

Signature	Title	Date
-----------	-------	------

<p>FOR INFORMATION ON RECEIVING THE DE 428T ON MAGNETIC MEDIA OR ANY OTHER QUESTIONS REGARDING THE DE 428T, PLEASE TELEPHONE (916) 653-7795.</p>
--